IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 9TH OCTOBER 2007 / 17TH ASWINA 1929

Bail Appl..No. 6119 of 2007()

PETITIONERS

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1. V.V.JOY, S/O.V.C.VARKEY,
   HOUSE NO.28/2499, KUDIPARAMBIL HOUSE,
   VINOBHA NAGAR, CHILAVANNOOR, KOCHI-20.

2. V.V.ANTONY, S/O.V.C.VARKEY,
   HOUSE NO.28/2499, KUDIPARAMBIL HOUSE,
   VINOBHA NAGAR, CHILAVANNOOR, KOCHI.20.

BY ADV. SRI.K.R.VINOD

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. THE SUB INSPECTOR OF POLICE,
   E.T. SOUTH POLICE STATION.

BY ADV. SRI. JAI GEORGE, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No. 6119 of 2007

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Dated this the 9th day of October, 2007

ORDER

Application for anticipatory bail. The petitioners are brothers. The 1st petitioner has married one Sible Mary. The petitioners apprehend arrest on the allegation of the mother of the said Sible Mary- one Elsy Earnest. She is making vexatious allegations against the petitioners -of they having committed non-bailable offences. The petitioners are hence before this Court with a prayer to invoke the extraordinary equitable discretion under Section 438 Cr.P.C.

2. The learned Public Prosecutor on instructions submits that there is no crime registered against the petitioners and the petitioners are not required to be arrested at all. If in future, the petitioners are required to be arrested on the basis of any such complaint by the said Elsy Earnest in respect of any offence allegedly committed by the petitioners prior to this day, the petitioners shall be given notice and prior permission of this Court shall be sought, submits the learned Public Prosecutor.

I accept the submissions of the learned Public Prosecutor and do hereby make record of the same. This application for anticipatory bail is hence dismissed, recording the submissions of the learned Public Prosecutor.

(R.BASANT, JUDGE)

sj